

REMARKS

In accordance with the foregoing, claim 14 has been amended. Claims 1-14 are pending and under consideration.

The rejection under 35 U.S.C. § 112 is overcome by the present amendment.

The rejections based on Lin and Challener are respectfully traversed. It is respectfully submitted that the Examiner's combination is not proper, because there would have been no motivation to combine the references.

Lin describes the problems of the prior art discussed therein. Improperly performed BIOS updates can lead to an inoperative computer system. In order to overcome the problem of the inoperative computer system, the prior art described in Lin includes an EPROM that holds a secondary backup BIOS program. However, a problem of the secondary backup BIOS program is that the user cannot select the preferred BIOS. Thus, it is an objective of Lin to provide two BIOS programs, any of which may be selected by the user as being the primary BIOS. Lin, col. 1, ln. 39 to col. 2, ln. 6.

Challener also describes the problems of the prior art discussed therein. Organizational security checks are required to ensure security of PCs and electronic units. However, a problem of the prior art security checks described in Challener is that it is necessary to turn the asset on in order to gain knowledge of the security level. This leaves a traceable record of the password, which may then lead to a breach. Thus, it is an objective of Challener to check the security level without having to power on the checked asset. Challener, col. 2, ln. 35-55.

The objectives of Lin and Challener are at odds with each other, and therefore, there would have been no motivation to combine the references. Specifically, Challener teaches the advantages of performing an operation with no power. However, the selection between BIOS programs taught by Lin requires power to be on. Since the combination of references would leave the stated goals of at least one of the references unfulfilled, there would have been no motivation to combine the references.

Furthermore, the Examiner relies upon column 8, lines 33-37 of Challener as particularly relying upon byte adding a user password and a product serial number. However, this portion teaches that if the byte added information matches stored information, then a failure is detected. Specifically, the matching indicates that a "weak" password is present, thereby indicating a potential security breach. Challener, col., 8, ln. 7-28. In contrast, claim 1 recites enabling writing when the stored and calculated check sum values are equal. Thus, one of ordinary skill in the

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art would not have been motivated to rely upon Challenger, because the teaching therein is contrary to that of claim 1.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 9-25-06

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